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To:

Examiner: Thien F. Tran

Leslie S. Szivos

Date:

CC:

OFFICIAL

Group Art Unit: 2811

703-872-9306

Tak H. Ning

Pages: 26 (Including fax cover sheet)

Phone:

Fax:

March 22, 2004

Re:

US Serial No. 09/757,965

☐ For Review

Docket No.: YOR920000588US2 (16966)

☐ Please Comment

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COMMENTS:

☐ Urgent

Transmitted herewith are the following:

- Request for Considered Examination (RCE) & Amendment Transmittal (in duplicate) 1.
- 2. Response Under 37 C.F.R. § 1.111
- Authorization to change IBM Deposit Account No. 50-0510/IBM (Yorktown) in the amount of 3. \$770.00 for the RCE Fee
- 4. Certificate of Transmission by Facsimile, dated March 22, 2004 (in duplicate)

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| CERTIFICATE OF Applicant(s): Tak H. Nix | TRANSMISSION BY FAC | SIMILE (37 CFR 1.8) | . Y(| Docket No. DR920000588US2 (16966) |
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| Serial No. 09/757,965 | Filing Date January 10, 2001 | Examiner Thien F. Tran | | Group Art Unit 2811 |
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| | itted to the United States Patent | (Identify type of correspondence) | | |
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| on March 22, | 2004 | | | |
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PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| Application Number | 09/757,965 | | | |
|------------------------|-------------------------|--|--|--|
| Filing Date | January 10. 2001 | | | |
| First Named Inventor | Tak H. Ning | | | |
| Art Unit | 2811 | | | |
| Examiner Name | Thien F. Tran | | | |
| Attorney Docket Number | YOR920000588US2 (16966) | | | |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

| 1. | Submission r | equired under 37 CFF | ₹ 1.114 Note: If t | he RCE is pr | oper, any previously filed | unentered |
|--------------|-------------------------------|--|--|-----------------------------|--|------------------------------|
| | | nclosed with the RCE will build to have any previously | e entered in the order in v | which they w | ere filed unless applicant | instructs otherwise. If |
| а. 🗆 | Previously s Office action | ubmitted. If a final Of n may be considered | fice action is outstandas a submission eve | ding, any a n if this bo | nmendments filed af x is not checked. | ter the final |
| | i. 🛘 Consider | the arguments in the | Appeal Brief or Rep | ly Brief pre | viously filed on | |
| i | ii. 🗆 Other | | . 1801 | | | |
| b. 🗵 | ☐ Enclosed | | | | | |
| | i. 🗵 Amen | dment/Reply vit(s)/Declaration(s) | iii. □ Information iv. □ Other | on Disclos | ure Statement (IDS) | |
| 2. 1 | Miscellaneous | | | | | |
| a. (| Suspension | of action on the abov | e-identified application | on is reque | sted under 37 CFR | 1.103(c) for |
| b. (| a period of □ Other | months. (Pe | eriod of suspension shall n | not exceed 3 | months; Fee under 37 Cl | FR 1.17(i) required) |
| 3. 🔲 | Fees The RCE | fee under 37 CFR 1.17(e) | is required by 37 CFR 1. | 114 when the | e RCE is filed. | |
| a. [| | r is hereby authorized | _ | ing fees, o | r credit any overpayı | ments, to |
| ; | Deposit Acc | | IBM \$770.00 | | | |
| | | ee required under 37 | • • | | | |
| | i. 🔲 Extens ii. 🗎 Other | sion of time fee (37 CF | R 1.136 and 1.17) | | | |
| b . [| | amount of \$ | | enclos | ed | _ |
| c . [| | credit card (Form PTO- | 2038 enclosed) | | | |
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| | be included | on this form. Provide | credit card information | on and aut | horization on PTO-20 | 38. |
| - | | | APPLICANT, ATTORN | EY, OR AG | ENT REQUIRED | |
| Na | M⊕ (Print / Type) | Leslie S. Servos Ph.D | | Registi | ration No. (Attorney / Agent) | 39,394 |
| Sigi | natur e | 200 | | Date | March 22, 2004 | |
| | | CERTIFIC | CATE OF MAILING OF | RTRANSMI | SSION | |
| | | rrespondence is being de | posited with the United St | ates Postal | Service with sufficient po- | stage as first class mail in |
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| Serial No. 09/757,965 | Filing Date January 10, 2001 | Examiner Thien F. Tran | į | Group Art Unit 2811 |
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| hereby certify that this _ | | onsidered Examination (RCE) & (Identify type of correspondence) It and Trademark Office (Fax. N | | |
| n March 22, 20 | | i and mademan omod i ax. i | 70. <u>70</u> | |
| (Date) | | | | |
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| | | Leslie S. Sziyo | s, Ph.I | |
| | | (Typed or Printed forme of Person | of Sight | ng Certificate) |
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PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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| Filing Date | January 10. 2001 | | | |
| First Named Inventor | Tak H. Ning | | | |
| Art Unit | 2811 | | | |
| Examiner Name | Thien F. Tran | | | |
| Attorney Docket Number | YOR920000588US2 (16966) | | | |

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| and amendments en | | ne order in which t | they we | oper, any previously filed unentered ere filed unless applicant instructs otherwise. If d, applicant must request non-entry of such | | |
|---|--|---------------------|-------------|---|--|--|
| a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. | | | | | | |
| ^{1.} □ Consider | i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on | | | | | |
| ii. 🛚 Other | | | | | | |
| | | Information Dis | sclosu | ure Statement (IDS) | | |
| 2. Miscellaneous | | | | | | |
| a. Suspension of | of action on the above-identified | application is a | reque | sted under 37 CFR 1.103(c) for | | |
| a period of b. Other | months. (Period of suspen | sion shall not exc | eed 3 r | months; Fee under 37 CFR 1.17(i) required) | | |
| 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0510/IBM \$770.00 i. RCE fee required under 37 CFR 1.17(e) ii. Extension of time fee (37 CFR 1.136 and 1.17) iii. Other | | | | | | |
| b. Check in the | amount of \$ | е | nclos | ed | | |
| c. Payment by c | credit card (Form PTO-2038 enclosed | 1) | | | | |
| WARNING: Information on this form may become public. Credit card information should not | | | | | | |
| be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | | | | |
| Name (Print / Type) | Leslie S. Szivos, P | | Registr | ration No. (Attorney / Agent) 39,394 | | |
| Signature | 1/4/ | | Date | March 22, 2004 | | |
| CERTIFICATE OF MAILING OR TRANSMISSION | | | | | | |
| hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to he U.S. Patent and Trademark Office on the date shown below. | | | | | | |
| Name (Print / Type) | ame (Print / Type) Leslie S. Szivos, Ph.D | | | | | |
| Signature | 1-1/ | | Date | March 22, 2004 | | |

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